

**ASSEMBLY BILL**

**No. 1486**

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**Introduced by Assembly Member Furutani**

February 27, 2009

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An act to amend Section 554 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1486, as introduced, Furutani. Employment: days of rest.

Existing law provides that a person employed in any occupation of labor is entitled to one day's rest in 7 and prohibits an employer from requiring his or her employees to work more than 6 days in 7. However, existing law establishes exceptions from those provisions, except where a valid collective bargaining agreement that covers the hours of employees exists, for emergencies, other work performed in the protection of life or property from loss or destruction, common carriers engaged in or connected with the movement of trains, and employees in an agricultural occupation. Existing law also authorizes the Chief of the Division of Labor Standards to exempt other employers or employees to prevent hardship.

This bill would make nonsubstantive changes to those provisions related to those exemptions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 554 of the Labor Code is amended to  
2     read:

1     554. (a) Sections 551 and 552 shall not apply to any cases of  
2 emergency nor to work performed in the protection of life or  
3 property from loss or destruction, nor to any common carrier  
4 engaged in or connected with the movement of trains. This chapter,  
5 with the exception of Section 558, shall not apply to any person  
6 employed in an agricultural occupation, as defined in Order No.  
7 14-80 (operative January 1, 1998) of the Industrial Welfare  
8 Commission. ~~Nothing in this~~ *This chapter shall be construed to*  
9 *does not* prevent an accumulation of days of rest when the nature  
10 of the employment reasonably requires that the employee work  
11 seven or more consecutive days, if in each calendar month the  
12 employee receives days of rest equivalent to one day's rest in  
13 seven. The requirement respecting the equivalent of one day's rest  
14 in seven shall apply, notwithstanding the other provisions of this  
15 chapter relating to collective bargaining agreements, where the  
16 employer and a labor organization representing employees of the  
17 employer have entered into a valid collective bargaining agreement  
18 respecting the hours of work of the employees, unless the  
19 agreement expressly provides otherwise.  
20     (b) In addition to the exceptions specified in subdivision (a),  
21 the Chief of the Division of Labor Standards Enforcement may,  
22 when in his or her judgment hardship will result, exempt ~~any~~ *an*  
23 employer or employees from the provisions of Sections 551 and  
24 552.